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Schmedlin, William (x2049)

From: Schmedlin, William (x2049)
Sent: Friday, November 14, 2014 2:23 PM
To: Lara S. Garner (LGarner@fr.com); Elizabeth M. Flanagan (EFlanagan@fr.com)
Cc: Howard, Scott B. (x2451)
Subject: Allergan v. Medicis: Non-infringement Positions

Lara,

I can confirm that the blank cells on our response to Plaintiffs' Interrogatory 5 mean that, in light of the claim constructions handed down by the Court, Defendants are not contesting Allergan's infringement claims for those elements. As we noted in our response, Defendants reserve the right to assert additional non-infringement positions if the claim construction is reversed on appeal.

Additionally, we are reviewing both the draft documents we received for adding Galderma Labs and the case law Betsy sent related to the proposed additions of Galderma S.A. and/or Q-Med. Although we may not be in a position to get back to you today on these, we do not expect to take long to get back to you on both items.

Thanks,

Bill

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